

GOVERNMENT OF TELANGANA  
ABSTRACT

Revenue (Endowments) Department – Framing of the Telangana Charitable and Hindu Religious Institutions and Endowments Transfer of Office Holders and Servants Rules, 2019 – Preliminary Notification/Previous publication – Orders - Issued.

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REVENUE (ENDOWMENTS-I) DEPARTMENT

G.O.Ms.No. 7

Dated: 16-01-2019

Read:

From the Commissioner, Endowments Department, Hyderabad  
Letter in Rc. No.B3/12289/2018, dated.01.10.2018.

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O R D E R:

The Commissioner, Endowments Department in his letter read above has stated that, section 39 of the Telangana Charitable and Hindu Religious Institutions and Endowments Act 1987 (Act No.30 of 1987), provides that the Commissioner / Deputy Commissioner / Assistant Commissioner shall have power to transfer any office holder or servant attached to a charitable or religious institution or endowment from that institution or endowment to any other institution or endowment in accordance with such rules as may be made by the Government in this behalf.

2. He has further stated that, rules have not been framed by the Government so far. This has resulted in certain ambiguity in the matter of transfers, leading to contest in courts and consequential litigation, even in respect of transfers made on administrative grounds in cases of serious irregularities on the part of certain temple employees. Hence, it is imperative that rules are framed and issued under section 39 read with section 153 of the Act in the interest of administration of temples and other institutions. He has requested the Government to frame the Telangana Charitable and Hindu Religious Institutions and Endowments Transfer of Office Holders and Servants Rules, 2019.

3. Therefore, the Government have decided to frame the Telangana Charitable and Hindu Religious Institutions and Endowments Transfer of Office Holders and Servants Rules,2019.

4. Accordingly, the following notification, will be published in the Extraordinary issue of Telangana Gazette, dated 21.01.2019:-

**PRELIMINARY NOTIFICATION**

5. The following draft rules called the “Telangana Charitable and Hindu Religious Institutions and Endowments Transfer of Office Holders and Servants Rules,2019” which the Government of Telangana proposes to make in exercise of the powers conferred by section 39 read with section 153 of the Telangana Charitable and Hindu Religious Institutions and Endowments Act,1987 (Act No.30 of 1987) is hereby published as required by sub-section (1) of section 153 of the said Act, for the information of all persons to be affected thereby and notice is hereby given that the said draft rules shall be taken into consideration by the Government on or after expiry of thirty (30) days from the date on which the copies of this Notification as published in the Telangana State Gazettee are made available to the public.

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6. Any objections or suggestions which may be received by the State Government from any person with respect to the said draft rules before the expiry of the period specified above will be considered by the State Government.
7. Objections or suggestions, if any, shall be addressed to the Secretary to Government, Revenue(Endowments) Department, Telangana State Secretariat, Hyderabad, in duplicate.
8. This order issues with the concurrence of the Finance Department vide their U.O.No.008169/589/A1/HRM.I/2018, dated 22.10.2018.

### **DRAFT RULES**

**1. Short title – (i)** These rules may be called the Telangana Charitable and Hindu Religious Institutions and Endowments Transfer of Office Holders and Servants Rules, 2019.

**(ii)** These rules shall apply to all office Holders and Servants of all Charitable and Hindu Religious Institutions and Endowments including Maths and Dharmadayams in the State of Telangana.

**2. Definitions:-** (1) In these rules, unless the context otherwise requires:-

- (a) "Act" means the Telangana Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act No.30 of 1987).
- (b) "*Competent Authority*" means the Commissioner, Additional Commissioner, Regional Joint Commissioner, Deputy Commissioner or Assistant Commissioner having jurisdiction over the institutions or Endowments as per the provisions of Sections 8, 9, 10 and 11 of the Act;
- (c) "*Executive Authority*" means the Executive Officer of the Institution or Endowments and where there is no Executive Officer, the Chairman of the Board of Trustees or the Trustee or the Mathadhipathi;
- (d) "*Office holder or servant*" includes a person who holds an office to which an Inam is granted, confirmed or recognised by the Government or who is remunerated by the Institutions concerned and who is either a whole time or a part time functionary;
- (e) The other expressions used in these rules shall have the same meaning assigned to them in the Act and in the Telangana State and Subordinate Service Rules.

**3. Transfer of Office Holder or Servant:-** Any Office Holder or Servant attached to a charitable or religious institution or endowment may be transferred from that institution or endowment to any other institution or endowment of similar classification under Section 6 of the Act.

**4. Competent Authority for transfers:-** The competent authority shall effect transfers with the approval of the committee of officers constituted by the Commissioner of Endowments for this purpose.

**5. Transfer Criteria:- (i)** No Office Holder or Servant attached to a charitable or religious institution or endowment shall be transferred before completion of two years of service in such institution or endowment;

- (ii) No Office Holder or Servant attached to a charitable or religious institution or endowment shall be continuously retained beyond five years of service in such institution or endowment;
- (iii) Not more than 20 percent of the Office Holders or Servants in each category attached to a charitable or religious institution or endowment shall be transferred every year;
- (iv) No Office Holder or Servant attached to a charitable or religious institution or endowment with a service of less than one year before superannuation shall be transferred.

**6. Procedure:-** As far as possible, transfers shall be done after obtaining preferences of the office holder or servant in a transparent manner. The guidelines issued by the Government in respect of transfer of government employees from time to time may be followed to the extent feasible.

**7. Transfer on Administrative Grounds:-** Notwithstanding anything contained in these rules, the Commissioner of Endowments may transfer any office holder or servant attached to a charitable or religious institution or endowment from that institution or endowment to any other institution or endowment of similar classification under section 6 of the Act, on administrative grounds.

**8. Lien:-** Notwithstanding any transfer, the lien of an Office Holder or Servant attached to a charitable or religious institution or endowment, which is a unit as per Rule 33 of the Telangana Charitable and Hindu Religious Institutions and Endowments Office Holders and Servants Service Rules, 2000, shall remain and continue in such parent institution or endowment and the retirement benefits shall be settled and paid by the parent institution.

**9. Unit:-** Notwithstanding any transfer, each institution or endowment shall be a unit for the purpose of recruitment, seniority and promotion of an Office Holder or Servant as per Rule 33 of the Telangana Charitable and Hindu Religious Institutions and Endowments Office Holders and Servants Service Rules, 2000, and no promotion of an office holder or servant shall be made unless there is a sanctioned vacancy in the parent unit.

**10:- Transfer Benefits:-** All the transfers effected basing on the preferences indicated by office holders or servants shall be treated as request transfers for the purpose of sanction of Transfer Travelling Allowance and other benefits.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

V. ANIL KUMAR,  
SECRETARY TO GOVERNMENT (FAC)

To  
The Commissioner,  
Printing, Stationary and Stores Purchase, Telangana, Hyderabad  
(with a request to publish the Notification in the Telangana State Extraordinary Gazette and to supply 50 copies to the Government and 50 copies to the Commissioner, Endowments Department, Hyderabad.  
The Commissioner, Endowments Department, Hyderabad.

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**Copy to:-**

The Revenue (Endowments-II) Section.

The Law(A) Department

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//FORWARDED BY ORDER//

SECTION OFFICER